

BEFORE THE SOUTH CAROLINA STATE BOARD OF EDUCATION

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| In the Matter of the Educator |) | CONSENT ORDER OF |
| |) | |
| Certificate of Kim J. Farnsworth |) | PUBLIC REPRIMAND |
| |) | |
| Certificate # 203557 |) | |

SUMMARY OF THE CASE

The South Carolina State Board of Education (State Board) considered this matter on November 12, 2003. On August 20, 2003, the State Department of Education (Department) sent a notice of the possible suspension or revocation of her South Carolina Educator Certificate (certificate) to Ms. Kim J. Farnsworth by certified mail, restricted delivery, and return receipt requested. Ms. Farnsworth received this notice as evidenced by a signed postal receipt bearing her signature and proposed to resolve this matter by agreement of the parties. Ms. Farnsworth agreed to accept the Department's proposal to resolve this matter without a hearing by agreeing to the following terms: (1) a public reprimand will be issued by the State Board, (2) she agrees that this public reprimand will be reported to all school districts in South Carolina with the grounds listed as "unprofessional conduct," and (3) this order will be maintained as a public record in the Office of General Counsel of the Department. After considering the evidence presented, the State Board voted to issue a Consent Order of Public Reprimand on the terms set forth above.

Ms. Farnsworth has over three years of teaching experience. She was employed with the Oconee County School District (District) as a School Psychologist II. Ms.

Farnsworth resigned from the District on July 31, 2003, after admitting that she made poor choices when she lied about the re-evaluation of a mentally disabled special education student at an Individualized Education Plan (IEP) meeting.

On May 14, 2003, an IEP re-evaluation meeting was held at Keowee Elementary School for a special education student. The student's mother requested a re-evaluation of her child in March 2003. Ms. Farnsworth reported her re-evaluation results to the IEP team including the student's mother on May 14, 2003.

When questioned about the testing by the parent, Ms. Farnsworth reported that another teacher was present when the student was tested. Actually, Ms. Farnsworth never re-tested the student and based her opinions on previous testing, current IEP

Accepted:

Initial Here

Date:

Kim J.
Farnsworth
#203557

levels of performance and observations. After the IEP meeting Ms. Farnsworth apologized to the other teacher for including her in the deception. Ms. Farnsworth admitted that she had used previous tests, current IEP levels of performance and observations as the basis for the re-evaluation.

In a memo to the Special Education Director for the District, the principal of the elementary school indicated that although it was unlikely that the requested testing would have led to a change in the student's placement, it was unfair to the child and her parents.

CONCLUSIONS OF LAW

"The State Board of Education may, for just cause, either revoke or suspend the certificate of any person." S.C. Code Ann. §59-25-150 (1990), S.C. Code Ann. §59-25-160 (1990); 24 S.C. Code Ann. Regs. 43-58. The Board finds that the preponderance of the evidence presented supports its conclusion that just cause does not exist to suspend or revoke Ms. Farnsworth's certificate; however, cause does exist for a Public Reprimand of Ms. Farnsworth's conduct. Accordingly, the Board issues this Consent Order of Public Reprimand as set forth above.

South Carolina State Board of Education

/S/ Greg Killian

Greg Killian

Chair

Columbia, South Carolina

November 12, 2003

I, Kim J. Farnsworth, SC Teaching Certificate # 203557, do hereby agree to this Order of Public Reprimand, consisting of two pages, and understand that this Order will be presented as signed to the State Board of Education on Tuesday, November 12, 2003.

10/23/03
Date

/S/ Kim J. Farnsworth
Signature